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10 **UNITED STATES DISTRICT COURT**

11 **DISTRICT OF NEVADA**

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13 UNITED STATES OF AMERICA, ) 3:05-cr-00098-HDM  
14 Plaintiff, ) 3:16-cv-00255-HDM  
15 vs. )  
16 JOHNATHON ROBERTS, ) ORDER  
17 Defendant. )  
18 \_\_\_\_\_

19 Defendant has filed a second or successive motion to vacate,  
20 set aside, or correct sentence pursuant to 28 U.S.C. § 2255 (ECF  
21 No. 529). On June 2, 2016, the Court of Appeals authorized the  
22 filing of defendant's second or successive motion (ECF No. 531).  
23 The Court of Appeals indicated that the court may consider  
24 defendant's motion but may wish to stay proceedings pending the  
25 circuit's decision in *United States v. Begay*, 14-10080.

26 Pursuant to General Order No. 2015-03, defendant's § 2255  
27 motion is deemed filed *nunc pro tunc* to May 16, 2016. Because the  
28 issue before the Court of Appeals in *Begay* bears directly on

1 defendant's motion, further proceedings on the motion are hereby  
2 **STAYED** pending the circuit's decision in that case or until further  
3 order of the court.

4 IT IS SO ORDERED.

5 DATED: This 3rd day of June, 2016.

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8 UNITED STATES DISTRICT JUDGE

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